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August 27, 1997

**VIA HAND DELIVERY**

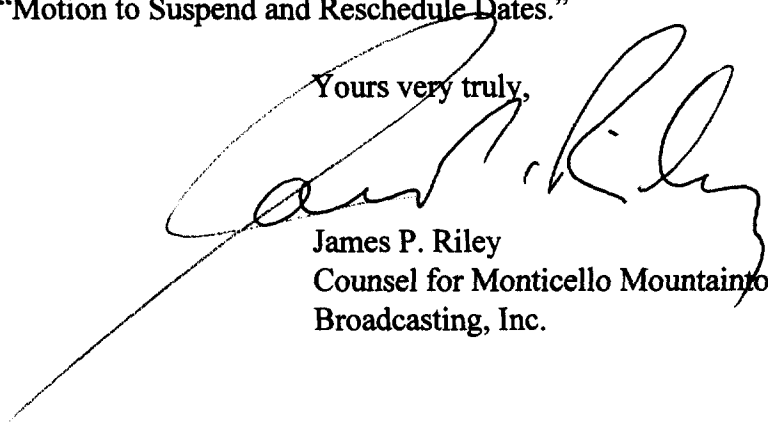
Mr. William Caton, Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

Re: MM Docket No. 97-122

Dear Sir:

Transmitted herewith is the original with four copies of Monticello Mountaintop Broadcasting, Inc.'s "Motion to Suspend and Reschedule Dates."

Yours very truly,

  
James P. Riley  
Counsel for Monticello Mountaintop  
Broadcasting, Inc.

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BEFORE THE  
**Federal Communications Commission**

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

|  |   |                         |
|--|---|-------------------------|
| In re:                                   | ) |                         |
|  | ) |                         |
| GERARD A. TURRO                          | ) | MM Docket No. 97-122    |
|  | ) |                         |
| For Renewal of License                   | ) | File Nos. BRFT-970129YC |
| for FM Translator Stations               | ) | BRFT-970129YD           |
| W276AQ(FM), Fort Lee, NJ, and            | ) |                         |
| W232AL(FM), Pomona, NY                   | ) |                         |
|  | ) |                         |
| MONTICELLO MOUNTAINTOP                   | ) |                         |
| BROADCASTING, INC.                       | ) |                         |
|  | ) |                         |
| Order to Show Cause Why the Construction | ) |                         |
| Permit for FM Radio Station WJUX(FM),    | ) |                         |
| Monticello, NY, Should Not Be Revoked    | ) |                         |

To: Administrative Law Judge Arthur I. Steinberg

**MOTION TO SUSPEND  
AND RESCHEDULE DATES**

Monticello Mountaintop Broadcasting, Inc. ("MMBI"), by counsel, hereby moves that the dates governing this proceeding established by Order of the Presiding Judge released May 22, 1997 (FCC 97M-90) be suspended, and that, upon consideration of the condition of Wesley R. Weis of MMBI, new dates be set. In support of this Motion, the following is stated:

1. Counsel has previously advised the Presiding Judge and the parties that Mr. Weis underwent emergency heart surgery on Tuesday, August 19. Counsel has now obtained from Mr. Weis's cardiologist, Dr. Elliott Lichtstein of Westwood Cardiology

Associates, Westwood, New Jersey, the statement attached to this motion. The statement gives Dr. Lichtstein's assessment of Mr. Weis's current condition, his projection of Mr. Weis's recovery period, and his recommendation that Mr. Weis not participate in this proceeding for a period of ninety days.

2. Dr. Lichtstein states that Mr. Weis "will be recuperating for the next twelve week [sic] from his repeat bypass surgery, and I would anticipate that he would not be capable or available to participate in his legal proceeding for a period of 90 days." The ninetieth day from August 26, the date of Dr. Lichtstein's letter, is November 24, Monday of Thanksgiving week. To begin the hearing in the week before that (i.e., on November 18, a Tuesday), would require that in mid-October Mr. Weis be actively participating in the review of the Bureau's exhibits and the preparation of MMBI's responsive exhibits. Mid-October would not be a full eight weeks from the date of Dr. Lichtstein's letter.

3. In light of the foregoing, MMBI requests that the Presiding Judge exercise his authority granted by Sections 1.243 and 0.341 of the Commission's rules to reschedule the hearing to commence at 10:00 A.M. on Tuesday, December 2, 1997. Other dates would, if December 2 is adopted as the commencement date, be as follows in order to duplicate the intervals established in the Presiding Judge's May 22 Order:

|  |                   |
|--|-------------------|
| Admissions Session ...   | November 24, 1997 |
| Exchange of written direct case exhibits of MMBI and Turro ...   | November 10, 1997 |
| Exchange of written direct case exhibits of Mass Media Bureau and Universal Broadcasting of New York, Inc. ... | October 27, 1997  |

WHEREFORE, MMBI moves the Presiding Judge to, upon consideration of the

matters set forth herein and any other matters relevant to the scheduling of this case,  
enter an Order granting MMBI appropriate relief.

Respectfully submitted,

MONTICELLO MOUNTAINTOP  
BROADCASTING, INC.

By: 

James P. Riley  
J. Todd Metcalf

of

FLETCHER, HEALD & HILDRETH, P.L.C.  
1300 North 17th Street  
11th Floor  
Rosslyn, Virginia 22209  
(703) 812-0400

Its Attorneys

August 27, 1997



# Westwood Cardiology Associates

Theodore H. Goldberg, MD., F.A.C.C. Stuart A. Barr, MD., F.A.C.C.  
Sheldon S. Eisenberg, MD., F.A.C.C. Patricia L. Murphy, MD., F.A.C.C.  
Elliott S. Lichtstein, MD., F.A.C.C. Kevin H. Silver, MD., F.A.C.C.  
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August 26, 1997

James P. Riley  
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Rosslyn, Virginia 22209  
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**Re: Wesley Weiss**

Dear Mr. Riley:

Mr. Weiss recently underwent emergency open heart surgery at Hackensack University Medical Center. The patient is recuperating quite well and has been discharged home. He will be recuperating for the next twelve week from his repeat bypass surgery, and I would anticipate that he would not be capable or available to participate in his legal proceeding for a period of 90 days. I would appreciate your arranging to reschedule any type of legal proceedings he is involved with in order to allow him to recovery more fully and to more safely participate in his legal matters.

If I can provide additional assistance to you please do not hesitate to contact me.

Sincerely yours,

Elliott S. Lichtstein, M.D., F.A.C.C.

ESL/ejm

**CERTIFICATE OF SERVICE**

I, Lorretto J. Scott, a secretary in the law firm of Fletcher, Heald & Hildreth, P.O.C., do hereby certify that true copies of the foregoing **"Motion To Suspend And Reschedule Dates"** was sent this 27th day of August, 1997, by first class mail, postage, to the following:

The Honorable Arthur I. Steinberg\*  
Administrative Law Judge  
Federal Communications Commission  
2000 L Street, N.W., Room 228  
Washington, D.C. 20554

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Hearing Branch  
Enforcement Division  
Mass Media Bureau  
Federal Communications Commission  
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Counsel for Universal Broadcasting of  
New York, Inc.

  
Lorretto J. Scott

\*BY HAND

\*\*BY MAIL AND FACSIMILE